

1871-006 Chancery Causes: Ira G. Sprinkle vs. Heirs of James M. Verable  
Lee Co.

Graham, Blakemore, Fridemore

CA - Contract Dispute  
T - Property



To the Honorable Henry J Morgan Judge of the County-  
Court of Lee County

Your Auditor Ira H Sprinkle  
humbly complaining. Sheweth - That in October 1862  
he bargained and purchased from one James M  
Vinoble who is now dec<sup>d</sup> a certain tract of land  
lying and being in the said county and bounded  
as follows to wit Beginning on the north corner of  
your Auditor's land Thence ~~with the line of~~ S. M  
on a line with Wm Barnes Cedar Spring place Thence  
with lines Thence to a large double black oak  
Cedar and Pin oak corner of said Barnes & Vinoble  
Thence with said line to the wagon road a stake  
made by said Vinoble and Geo. Meroblu. Thence  
with the meanders of said road to a double Pin  
oak on the south side of said road. Thence with  
a line made by said Vinoble and Meroblu to intersect  
a line on the Gray or Mc Elroy farm and with  
the line Thence to the black walnut corner. Thence  
from the walnut corner with a line say six to nine  
poles to the Johnson line to corner made by said  
Vinoble and Charles Cant, embracing the land bought  
by said Vinoble of said Cant, to the Beginning  
For this tract of land your Auditor contracts to pay  
the said Vinoble twenty two hundred Dollars all  
of which is now paid. And the said Vinoble on  
the 8<sup>th</sup> day of October in said year made and delivered  
to your Auditor his obligation by which he bound  
himself to make or cause to be made to your Auditor  
by the 1<sup>st</sup> day of January 1864 a deed granting to  
him the said described tract of land containing  
covenants with general warranty - which bond is  
herewith filed marked A, and prayed to be con-  
sidered herewith -



Your Order states that the said Vinoble is now  
dead and that he neglected and failed during  
his lifetime to make your Order any deed nor  
have his heirs since his decease made him  
any deed to the same and to extract a title  
from his heirs is the object of this bill

The said Vinoble has left the following children  
who are his heirs at law, to wit. Banton Vinoble  
Andrew M. Vinoble, Elisha Vinoble, Eoline Blottem-  
on the wife of John Blottemore, Charles L. Vinoble  
Benjamin H. Vinoble William M. Vinoble and  
Leitha Graham who intermarried with Thomas  
M. Graham. She is now dead and has left

the following children her heirs at law to wit.  
Mary Graham, Caroline Graham & Morgan Graham.  
These last named three children and the said Charles  
H. Benjamin H. and William M. Vinoble are  
infants.

Your Order's prayer therefore is that  
the aforesaid heirs of James M. Vinoble, and  
Jane Vinoble his widow and the said Thomas  
M. Graham be made defendants to this bill  
and answer the same on oath. That a  
guardian ad litem be appointed to answer  
for and protect the interest of said infants

And on a hearing a decree be entered appoint-  
ing a Commissioner directed to convey for said  
heirs to your Order the said land with  
covenants of general warranty. And grant  
general relief. May Summons issue &c

Hogan & Pridemore

+ Ands of great value <sup>immensely more than sufficient to pay costs of this suit</sup> have descended to said heirs from their  
ancestor. Your Order therefore prays that they be decreed to pay  
the costs of this proceeding



Isa. G. Sprinkle

vs. { Pitt. ch

The Heirs of J. M. Venobie  
+ his bit felix

- 1871 Jan'y 28th. O. Pub. vs. non  
" Feb. Bill filed. Sheard on home  
defts & D. N. as to them, & come for O.P.  
" March D. N. came as to home Defts &  
came for O.P. vs non residents.  
" April, O. Pub. brought vs. Non resi-  
dents & D. N. as to them.  
" May Decree nisi vs same conf.  
& cause set for hearing by Jff.  
" May Term, continued.  
" June " Decree final.

C. 7.13  
A. 15.00  
S. 4.00  
D. 5.00  
Or. 5.00  
J. 1.00  
3.00  
140.13



To the Honorable Henry J. Morgan Judge of the  
County Court of Lee County Virginia:

The joint answer of Mary Graham ~~xxxxxx~~  
~~Graham~~ <sup>Morgan</sup> ~~xxxx~~ ~~xxxx~~, Graham Charles F. Venable Benjamin  
H. Venable and William M. Venable infants under 21 years  
of age by David Miller their Guardian ad litem  
to the bill of Complaint filed in your Honorable  
Court by Ira G. Sprinkle against these defendants  
and others respectfully represents that for answer  
thereto they say that they reserve to themselves now  
and at all times hereafter the full benefit of the  
usual exceptions to Complainants bill and further  
represent that they are infants under the age of  
21 years and have not the judgment and discretion  
of persons of maturer years and consequently they  
neither admit nor deny the allegations contained  
in Complainants bill but the Courts of Chancery  
being the peculiar Guardians of the rights of  
infants they ask the protection of this Court in  
any and every thing that affects their rights and  
interests in this suit and they further ask that  
the Complainant in this cause be required to  
proceed according to the strict rules of equity  
and having answered they pray to be dismissed  
with their costs.

David Miller

Guardian ad litem

Virginia Lee County to wit:

This day David Miller personally appeared before  
me the undersigned Clerk of the County Court of Lee  
County and made oath that the above answer of him-  
self as guardian ad litem is true to the best of his  
knowledge & belief. Given under my hand this  
the 23 day of June 1871

James W. Orr. Clerk.



James M. Venables  
Heirs & others  
vs. } Answer of  
Guardian ad litem  
Ira G. Sprinkle

Fee of Guardian ad litem  
\$5.00



Isa & Sprinkled Off }  
against } In City,  
the heirs of J M Vinoble Depts }

On motion David Miller was  
appointed guardian ad litem of May Graham  
~~Caroline Graham~~ <sup>Mary ~~Ann~~ Morgan</sup> Graham, Charles F  
Vinoble Benjamin H Vinoble, and William M  
Vinoble the infants defendants and by leave of  
Court the answer of said infants by their  
said guardian was filed, and thereupon  
this cause came on this day to be heard  
on the bill of the plaintiff the answer  
of the infants defendants by their said guardian  
ad litem the exhibits filed examination  
of witnesses and was argued by counsel.  
# And it appearing to the Court that the plaintiff  
purchased from James M Vinoble in his lifetime  
the land in the bill mentioned and that the  
said Vinoble bound himself by title bond  
to the convey to the plaintiff said land with  
covenants of general warranty, and it further  
appearing that the plaintiff has paid the  
entire purchase money due from him, and  
that his vendor departed this life without  
having made any deed, and that no deed  
is yet made to the plaintiff. On consid-  
eration of the premises it is adjudged ordered  
and decreed that Auburn L Prichmore  
who is hereby appointed a special Commissioner for  
the purpose convey by deed with special warranty  
to the plaintiff Isa & Sprinkled the land sold  
to him by the said James M Vinoble in his life-



time which is described in the little bond filed  
in the papers of the cause. Said Commission  
shall acknowledge said deed and place it in  
the hands of the plaintiff, and the same  
shall have all the effect to vest the plaintiff  
with the full right and title to said lands  
as if the conveyance had been made by the  
said Vinoble in his life time. And it appear-  
ing that assets more than sufficient to pay the  
costs of this suit have descended to the heirs  
of said Vinoble - it is further ordered  
and decreed that the adult defendants  
pay to the plaintiff the costs of this suit  
in the taxing of which the clerk shall  
include \$2.50 for the filing of said  
deed and \$5.00 for the U. S. Rec. Stamp  
which is given the plaintiff to withdraw the title bond bearing a copy  
required to be placed thereon. And the  
cause is stricken off the docket.

¶ And it appearing that process has been duly  
executed on the home defendants by personal  
service and on the ~~non~~ non-resident defendants  
by publication, and the adults yet failing  
to appear the bill is therefore taken  
for confessed as to them.



Ira G. Sprinkle  
D. } Deane-fine  
The heirs of H. M. Vinoble

Entered O.B. p 287.

Enter Theo Deane  
H. J. Morgan  
June 24 1871



Virginia Lee County to wit

This day A. L. Dickerson personally appeared  
before me and made oath that Burton Venable  
Andrew M. Venable Elihus Venable John Blakemore  
and Evaline Blakemore his wife (formerly Evaline  
Venable), are non residents of this Commonwealth  
Given under my hand this 9<sup>th</sup> Jan 1870 -

James B. Orr. Clerk.



Isa C Sprinkle

vs } Affidavit

Barton Tenable et als  
Filed January 9th 1870.

(chd c)



Know all men by these presents that I James M Venable of the County of Lee and State of Virginia am held and firmly bound unto Ira G. Sprinkle of the same County and State in the just and full sum of Four Thousand four Hundred Dollars, For which payment well and truly to be made. I bind myself my heirs, executors and administrators, jointly and severally firmly by these presents, Sealed with my seal, and dated this 8<sup>th</sup> day of October 1862.

The condition of the above obligation is such that if the above bound James M Venable his heirs and executors or administrators shall well and truly convey, or cause to be conveyed unto the said Ira G. Sprinkle his heirs or assigns by way of general warranty deed on or before the 1<sup>st</sup> day of January One Thousand Eight Hundred and Sixty four, the following described tract of land being and lying in the County of Lee and State aforesaid to wit, the tract of land on which the said Venable now lives and bounded as follows, commencing on the North, corner of said I. G. Sprinkle. Thence S. W. on a line with W<sup>m</sup> Carnes' Cedar Spring place thence with lines thereof to a large double black Oak Cedar and Pin Oak corner of said Carnes and Venable, thence with said line to the wagon road a State made by said Venable and Geo. A. Crabtree. Thence with the meanders of said road to a <sup>double pin Oak</sup> ~~state~~ ~~made by~~ said Venable and Crabtree on the south side of said road, thence with a line made by said Venable and Crabtree to intersect a line on the Gray or M<sup>c</sup>Elroy farm, and with the line thereof to the black walnut corner. Thence from the walnut corner

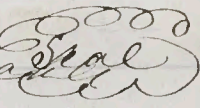


with a line say sixty five poles to the Johnson line,  
thence with said Johnson line, to corner made by  
said Venable and Charles Cook. (untracing the  
land bought by said Venable of said Cook) to  
the beginning. Then and in this case, the above obli-  
gation to be void and of no effect, else to remain  
in full force and virtue in law and equity.

In witness whereof I have hereunto  
set my hand and seal the day and year first  
above written —

Test.

J. P. Everitt

James M. Venable 



(Exhibit A)



Virginia

In the Clerk's Office of the County Court of Lee County, on  
Saturday, the 28th day of January 1870.

Ira G. Sprinkle

Plff.

vs.

Burton Venable, Andrew M. Venable, Elihu Venable,  
Thomas N. Graham, Mary Graham, Caroline Graham,  
Morgan Graham, John Blakemore & Evaline Blakemore,  
his wife, (formerly Evaline Venable,) Charles F. Venable,  
William M. Venable and Jane Venable ----- Defs.

In Chancery.

The object of this suit is to obtain a decree appointing a Commissioner to convey to the Plaintiff (for the said defendants - heirs at law of James M. Venable dec'd) the land in the Bill mentioned; and it appearing from an affidavit filed in the cause that Burton Venable, Andrew M. Venable, Elihu Venable, John Blakemore and Evaline, his wife (formerly Evaline Venable) are now residents of this Commonwealth, they are, therefore, ordered to appear here within one month after due publication of this order, and do what is necessary to protect their interest in this suit.

Teste. James W. Orr Clk.

A copy-

Teste. James W. Orr Clk.

I certify that on Monday, the 20th day of February 1870, that being Court day, I posted a copy of the foregoing order of Publication at the front door of the Court House of Lee County.

James W. Orr, Clk



Loa G. Sprinkle

vs. } Order of Publication

The Heirs of J. M. Venath dec'd



Little Band

James M. Venalile

To

Loa A. Sprinkle

---

The Band delivered to  
Loa A. Sprinkle July  
25th 1872, who is to  
return it in a short time

Jas W. Orr, Clerk.



1872





# The Commonwealth of Virginia,



TO THE SHERIFF OF LEE COUNTY---GREETING:

WE COMMAND YOU TO SUMMON

*Barton Venable, Andrew M Venable,  
Elihu Venable, Thomas V. Graham, Mary Graham, Caroline  
Graham, Morgan Graham, John Blakemore, and Eustine Blake-  
more, his wife, formerly Eustine Venable, Charles F Venable,  
Benjamin F Venable, William M Venable, & Jane Venable.*

to appear before the Judge of our County Court for Lee County, at the Court-House, in the Clerk's  
Office, at Rules to be holden for said Court, on the *first* Monday in *February*  
next, to answer a bill in Chancery, exhibited in our said Court, against *them* by *Ira G Sprinkle*

And have then there this writ. Witness, *James H Orr* JOHN B. WEST, Clerk of our said Court, at the  
Court-House, this *9th* day of *January* 187*9*, in the *75th* year of the  
Commonwealth.

*James H Orr* Clerk.



Ira C. Sprinkle

vs. Spr in Chancery  
(9 copies)

Barton Venable et al

February Rules 1871.

January 18<sup>th</sup> / 81

Completed by delivering  
& attested & filed  
copy of the within  
to Thomas Graham  
Charlotte Graham  
Mary Graham Morgan  
Graham Charles W  
Venable B. Venable  
W. M. Venable &  
Gene Venable

A. S. Hambly S. L. C.



# VIRGINIA :

WASHINGTON COUNTY, TO WIT :

I do hereby certify that the annexed Notice has been published  
four weeks successively, ending *March 3<sup>d</sup> 1870*,  
in the "ABINGDON VIRGINIAN," a newspaper published in the  
town of Abingdon, Va. Given under my hand this *11<sup>th</sup>*  
day of *March*, 1870.

*Geo. P. Barr*  
*Jr. Ed. "Virginian"*

VIRGINIA:—In the Clerk's office of the County Court of Lee county, on Saturday, the 28th day of January, 1871:

Ira G. Sprinkle,

Plff.

AGAINST

Burton Venable, Andrew M. Venable, Elihu Venable, Thomas N. Graham, Mary Graham, Caroline Graham, Morgan Graham, John Blakenmore and Evaline his wife, (formerly Evaline Venable,) Charles F. Venable, William M. Venable and Jane Venable, Defts.

## IN CHANCERY.

The object of this suit is to obtain a decree, appointing a Commissioner to convey to the plaintiff, (for the said defendant's heirs-at-law of James M. Venable, dec'd,) the land in the bill mentioned:— And it appearing from an affidavit filed in the cause, that Burton Venable, Andrew M. Venable, Elihu Venable, John Blakenmore and Evaline his wife, (formerly Evaline Venable,) are non-residents of this Commonwealth, they are therefore ordered to appear here within one month after due publication of this order, and do what is necessary to protect their interest in this suit.

Teste,

A Copy.—Teste,

JAMES W. ORR, Clk.

JAMES W. ORR, Clk.

Feb. 10, 1871.—4w.